

**PROPOSAL**  
**Maryland Register**  
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**Title 10**  
**MARYLAND DEPARTMENT OF HEALTH**  
**Subtitle 58 BOARD OF PROFESSIONAL COUNSELORS AND**  
**THERAPISTS**

**10.58.07 Alcohol and Drug Counselors — Requirements for Certification and Licensure**

Authority: Health Occupations Article, §§17-101, 17-102, 17-205, 17-301, 17-302, 17-305, 17-308, 17-309(a)—(c), (g), 17-401(b), 17-403—17-407, and 17-501—17-509, Annotated Code of Maryland

**Notice of Proposed Action**

[18-236-P]

The Secretary of Health proposes to amend Regulations **.02—04** and **.06—08**, repeal in existing Regulations **.09—11** and **.13—16**, amend and recodify existing Regulations **.17—20** to be Regulations **.09—12**, and recodify existing Regulation **.12** to be Regulation **.13** under **COMAR 10.58.07 Alcohol and Drug Counselors — Requirements for Certification and Licensure**. This action was considered by the Board of Professional Counselors and Therapists at a public meeting on June 15, 2018, notice of which was given by publication on the Board's website at <https://health.maryland.gov/bopc/Pages/index.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to:

- (1) Implement amended regulations regarding the licensure and certification of alcohol and drug counselors pursuant to HB 742/SB 552 (Chapters 756 and 757, respectively, Acts of 2018);
- (2) Amend educational requirements to allow the substitution of certain work experience for the required internship;
- (3) Consolidate regulations to include scope of practice within each credential; and
- (4) Clarify educational requirements for each credential.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 W. Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to [mdh.regs@maryland.gov](mailto:mdh.regs@maryland.gov), or fax to 410-767-6483. Comments will be accepted through October 15, 2018. A public hearing has not been scheduled.

**.02 Definitions.**

- A. (text unchanged)
- B. Terms Defined.

(1) “[Accredited] *A regionally accredited educational institution [approved by the Board]*” means a college or university that is accredited through [one of the following] *a regional accrediting [bodies] body* recognized by the U.S. Department of Education *and approved by the Board*[.];

[(a)] The Middle States Association of Colleges and Schools — the Commission on Higher Education;

[(b)] The New England Association of Schools and Colleges;

[(c)] The North Central Association of Schools and Colleges;

[(d)] The Northwest Association of Schools and of Colleges and Universities;

[(e)] The Southern Association of Colleges and Schools; and

[(f)] The Western Association of Colleges and Schools.]

(2) (text unchanged)

(3) “Approved alcohol and drug *counselor* supervisor” means:

(a) A licensed clinical alcohol and drug counselor *approved by the Board*;

(b) A health-care provider [licensed]:

(i) *Licensed* under the Health Occupations Article, Annotated Code of Maryland[, with];

(ii) *With 3 years of documented experience in alcohol and drug counseling [as approved]; and*

(iii) *Approved* by the Board;

(c) A certified professional counselor — alcohol and drug, *approved by the Board*; or

(d) A certified associate counselor — alcohol and drug with 3 years of documented experience in alcohol and drug counseling, [as] *and approved* by the Board.

[(4)] “Approved licensed clinical alcohol and drug supervisor” means:

(a) A licensed clinical alcohol and drug counselor; or

(b) A health-care provider licensed under the Health Occupations Article, Annotated Code of Maryland, with 3 years of documented experience in alcohol and drug counseling, and approved by the Board.]

[(5)] (4) (text unchanged)

[(6)] (5) “Case management” means the provision of services which assist participants in gaining access to [the]:

(a) *The full range of substance abuse services[, as well as to any];*

(b) *Any additional needed medical, social, financial assistance, counseling, educational, housing[,]; or [other]*

(c) *Other support services, as defined in COMAR 10.09.45.*

[(7)] (6) “Clinical supervision” means that the supervisor:

(a)—(b) (text unchanged)

(c) Confirms that all diagnoses are clinically supported by appropriate criteria, as [defined]:

(i) *Defined* in the current editions of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the International Classification of Diseases and Related Health Problems (ICD)[.]; and [as documented]

(ii) *Documented* by signature and credentials.

[(8)] (7) “Close supervision” means that the supervisor:

(a)—(c) (text unchanged)

(d) [For] *Reviews and approves content for* all diagnostic impressions and new treatment plans, [reviews and approves content,] as documented by signature and credentials.

[(9)] (8) (text unchanged)

[(10)] (9) “Diagnosis” means the identification of psychological problems, emotional, or mental disorders by a licensed clinician, using specified terms and criteria identified in the current editions of the:

(a) Diagnostic and Statistical Manual of Mental Disorders (DSM); or [the]

(b) International Classification of Diseases and Related Health Problems (ICD).

[(11)] (10) (text unchanged)

[(12)] (11) Face-to-Face.

(a) “Face-to-face” means supervision provided by a supervisor in the physical presence of the individuals involved in the supervisory relationship during either [individual]:

(i) *Individual* or group supervision; or [using]

(ii) *Using* video conferencing that allows individuals to hear and see each other in actual points of time.

(b) “Face-to-face” does not include [telephone]:

(i) *Telephone* supervision; [or]

(ii) Internet communication such as email[,], and social networking websites[,]; or [instant]

(iii) *Instant* messaging that does not involve real-time video conferencing.

[(13)] (12) “Health and human services counseling field” means a specific degree program with a counseling emphasis, including but not limited to the following areas:

(a)—(c) (text unchanged)

(d) Other academic concentrations in the health and human services field, including, but not limited to:

(i) Human services[.];

(ii) Behavioral health or behavioral sciences[.];

(iii) Rehabilitation counseling[.];

(iv) Counselor education[.];

[(v)] Education psychology,]

- [(vi)] (v) Counseling psychology[.]; or  
[(vii)] (vi) (text unchanged)
- [(14)] (13) "Immediately available supervision" means supervision provided by a supervisor who is instantly available [in];  
(a) In person[, by];  
(b) By telephone[, or [by] other electronic means[.]; or [by]  
(c) By designation of one or more supervisors in the absence of the supervisor of record.
- [(15)] "Includes" or "including" means includes or including by way of illustration and not by way of limitation.]
- [(16)] (14) "Licensed graduate alcohol and drug counselor" means an individual approved by the Board to practice graduate alcohol and drug counseling under the supervision of an approved alcohol and drug *counselor* supervisor while fulfilling the supervised clinical experience for licensure under:  
(a) Health Occupations Article, §17-302(e), Annotated Code of Maryland[.]; and [Regulations]  
(b) Regulation .03 [and .10] of this chapter.
- [(17)] (15) "Moderate supervision" means that the supervisor:  
(a)—(c) (text unchanged)  
(d) [For] *Reviews and approves content for* all diagnostic impressions and new treatment plans, [reviews and approves content,] as documented by signature and credentials.
- [(18)] (16) (text unchanged)
- [(19)] (17) "On-site supervision" means supervision provided by a supervisor who is [physically]:  
(a) *Physically* present in the facility where patient or client services are rendered[.]; and [who is able]  
(b) *Able* to respond in person without delay.
- [(20)] (18) (text unchanged)
- [(21)] (19) "Practice clinical alcohol and drug counseling" means to engage professionally and for compensation in alcohol and drug counseling and appraisal activities by providing services *for individuals, couples, families and groups* involving [the]:  
(a) *The* application of counseling principles; and [methods]  
(b) *Methods* in the diagnosis, prevention, treatment, and amelioration of psychological problems, emotional conditions, or mental conditions [of individuals or groups].
- [(22)] (20) (text unchanged)
- [(23)] "Scope of practice" means the rules, regulations, and boundaries within which a practitioner with appropriate training, knowledge, and experience may practice in the field of substance abuse counseling.]
- [(24)] (21) (text unchanged)
- [(25)] (22) "Substantially equivalent" means a degree in a program of studies [judged] *approved* by the Board to *include, but not be limited to, the following for*:  
[(a)] Have a counseling emphasis in terms of subject matter and extent of training required for a given level of licensure or certification;  
(b) Include, but not be limited to the following, for licensure]  
(a) *Licensure purposes*:  
(i) (text unchanged)  
(ii) A minimum of 51 credits in counseling, containing the required alcohol and drug coursework for the license, as specified in Regulation [.03A(2) and (3)] *.03B(4) and (6)* of this chapter;  
[(c)] Include, but not be limited to the following, for certification]  
(b) *Certification* at the [Bachelor's] *bachelor's* level:  
(i) A bachelor's degree from [an] *a regionally* accredited educational institution [approved by the Board]; and  
(ii) A minimum of 45 credits in counseling, including the required alcohol and drug coursework for the level of certification sought, as specified in Regulations [.06A(2), .07A(2), and .08C(2)] *.06C(4) and .07D(4)* of this chapter;  
[(d)] Include, but not be limited to the following, for certification]  
(c) *Certification* at the [Associate's] *associate's* level:  
(i) An associate's degree from [an] *a regionally* accredited educational institution [approved by the Board]; and  
(ii) A minimum of 30 credits in counseling, including the required alcohol and drug coursework for the level of certification sought, as specified in Regulations [.07A(2) and .08C(2)] *.06C(4) and .07D(4)* of this chapter.
- [(26)] "Supervised clinical experience in alcohol and drug counseling" means counseling services provided under the clinical supervision of an approved licensed clinical alcohol and drug supervisor.]
- [(27)] (23) "Supervised experience in alcohol and drug counseling" means alcohol and drug counseling services provided under the close or moderate supervision of an approved licensed or certified alcohol and drug *counselor* supervisor.
- [(28)] (24) Supervision.  
(a) "Supervision" means a formalized professional relationship between a supervisor and supervisee that involves [directing]:  
(i) *Directing*, guiding, monitoring, instructing, and evaluating the supervisee's alcohol and drug counseling practice throughout an ongoing process of supervision; and [utilizes]  
(ii) *Utilizes* close, moderate, or clinical levels of supervision.  
(b) "Supervision" includes an acceptance of direct responsibility for the patient services rendered by the supervisee, including continuous availability to the supervisee [in]:  
(i) In person[, through];

- (ii) Through written instructions[, by];
- (iii) By telephone[,] or [by] other electronic means[, and by]; or
- (iv) By designation of one or more supervisors in the absence of the supervisor of record as defined in COMAR

10.58.13.

[(29)] (25) (text unchanged)

[(30)] (26) "Under the supervision of an approved alcohol and drug *counselor* supervisor" means [engaging]:

(a) *Engaging* in an ongoing process that includes direct, on-site, face-to-face individual or group meetings focused on quality of delivery of alcohol and drug counseling services; and [improvement];

(b) *Improving* [of] counseling skills for a minimum of:

(i) 1 documented hour for each 40-hour work week [but not]; or

(ii) Not less than 2 documented hours per month for less than a 40-hour work week.

[(31)] (27) "Workshop" means a meeting or meetings of general sessions and face-to-face groups with a leader[,] *who*:

(a) *Is* an expert in the defined content area[.]; and [who imparts]

(b) *Imparts* information to participants who have an ample opportunity to interact.

**.03 [Licensure —] Licensed Clinical Alcohol and Drug Counselors.**

A. *Scope of Practice.* The scope of practice of a licensed clinical alcohol and drug counselor includes the following activities:

(1) *Clinical evaluation, including screening, assessment, and diagnosis for mental health disorders;*

(2) *Treatment planning for mental health disorders, including initial, ongoing, continuity of care, discharge, and planning for relapse prevention;*

(3) *Referral;*

(4) *Service coordination and case management;*

(5) *Counseling, therapy, and trauma-informed care with individuals, couples, families, and groups;*

(6) *Client, family, and community education;*

(7) *Documentation;*

(8) *Professional and ethical responsibilities; and*

(9) *Supervisory responsibilities for all categories of licensed and certified alcohol and drug counselors or trainees.*

[A.] B. *Licensure.* To qualify for licensure as a clinical alcohol and drug counselor, the applicant shall:

(1) [Complete an application on a form approved by the Board] *Submit a completed Board-approved application* and include documentation of post-graduate experience;

(2) Pay [the required non-refundable fee] *all applicable fees* set forth in COMAR 10.58.02;

(3) *Complete one of the following from a regionally accredited educational institution:*

[(3) Hold a doctoral or] (a) A master's degree in a health and human services counseling field [from a regionally accredited educational institution] approved by the Board or in a program of studies determined by the Board to be substantially equivalent [in subject matter;] *with:*

(i) A minimum of 60 graduate semester credit hours; or

(ii) 90 quarter credit hours; or

(b) A doctoral degree in a health and human services counseling field approved by the Board or in a program of studies determined by the Board to be substantially equivalent *with:*

(i) A minimum of 90 graduate semester credit hours; or

(ii) 135 graduate quarter credit hours.

(4) Complete [a minimum of 60 semester credit hours or 90 quarter credit hours in alcohol and drug counselor training, including] a minimum of 39 semester credit hours or 65 quarter credit hours in alcohol and drug counselor training from a regionally accredited educational institution [approved by the Board] with at least one 3 semester credit hour or 5 quarter credit hour course in:

(a)—(i) (text unchanged)

(j) Topics in [alcohol and drug dependency, including various theories of addictive disorders, models of treatment, and other topics related to alcohol and drug dependency] *substance-related and addictive disorders;* and

(k) Family counseling [including family systems theory and dynamics, processes in addiction, and recovery models];

(5) *Complete one of the following:*

(a) An internship in alcohol and drug counseling that [total] *totals* 6 semester credit hours or 10 quarter credit hours; or

(b) A minimum of 1,000 hours of alcohol and drug counseling work completed under and verified by a Board-approved alcohol and drug counselor supervisor;

(6) Complete a minimum of 3 graduate semester credit hours or 5 quarter hours in each of the following content areas:

(a) Personality development[, including:

(i) The various stages of human development over the life span;

(ii) Theories of personality and human development; and

(iii) The influence of human development and experiences on the development of psychopathology];

(b) Diagnosis and psychopathology[, including instruction in:

(i) Diagnosis based on standard criteria as defined in the current editions of the DSM or ICD;

(ii) Major categories of mental disorders;

(iii) An understanding of the impact of abnormal behavior on individuals, and on society as a whole; and

(iv) An examination of various theories relative to the etiology of abnormal behavior;]; *and*  
(c) Psychotherapy and treatment of mental and emotional disorders [with instruction including, but not limited to:  
(i) An overview and application of one or more treatment models to various mental health disorders;  
(ii) Models of substance use disorders including recovery and relapse processes; and  
(iii) Use of the current edition of the American Society of Addiction Medicine's Patient Placement Criteria or criteria from a successor organization];

(7) Complete not less than 2 years with a minimum of 2,000 hours of supervised experience in alcohol and drug counseling obtained under the supervision of an approved licensed clinical alcohol and drug *counselor* supervisor acquired after the [award]awarding of [the] a master's [degree] or doctoral degree [as determined by the Board], of which:

[(a)] 1,500 hours shall be face-to-face client contact hours; and], *including*

[(b)] 100 hours [shall be] face-to-face clinical supervision hours, of which:

[(i)] (a) *At least* 50 hours shall be individual face-to-face clinical supervision; and

[(ii)] (b) A maximum of 50 hours may be face-to-face group clinical supervision;

(8) Achieve a passing score on [the Examination for Masters Addiction Counseling (EMAC) of the National Board for Certified Counselors (NBCC)]:

(a) *A national alcohol and drug counselor examination approved by the Board; and*

[(9) Achieve a passing score on an] (b) *An examination of:*

(i) Health Occupations Article, Title 17, Annotated Code of Maryland[.]; and [this subtitle]

(ii) *COMAR 10.58;*

(9) *Submit to a criminal background check;*

(10)—(11) (text unchanged)

C. *Licensed alcohol and drug counselors shall conspicuously display:*

(1) *Their license or certificate in accordance with Health Occupations Article, §17-506, Annotated Code of Maryland; and*

(2) *A professional disclosure statement, as described in Health Occupations Article, §17-507, Annotated Code of Maryland,*

*that:*

(a) *Except for licensees, clearly states that the counseling services are provided under supervision; and*

(b) *Provides the name, title, and credentials of the supervisor of record, including the supervisor's address and contact information.*

[B.] D. The Board shall act upon applications within a 6 month period as follows:

(1) Within 90 days after receipt of an application, the Board [or its Executive Director] shall determine whether the application is complete;

(2) If the Board [or its Executive Director] determines that the application is not complete, the [Executive Director] *Board* or the [Executive Director's] *Board's* designee shall send a notice of deficiency to the applicant;

(3)—(4) (text unchanged)

[C.] E. *Renewal.*

(1) To renew clinical alcohol and drug counselor licensure, the applicant shall:

(a) Complete a *Board-approved* renewal application [on a form approved by the Board];

(b) Pay [the required application fee] *all applicable fees* set forth in COMAR 10.58.02; and

(c) (text unchanged)

(2) (text unchanged)

[D.] F. *Reinstatement.*

(1) Within 5 calendar years after the certificate renewal date, the Board may reinstate the license of a licensed clinical alcohol and drug counselor otherwise entitled to reinstatement under Health Occupations Article, §17-505(b), Annotated Code of Maryland, whose certificate was not renewed for any reason, if the certificate holder:

(a) (text unchanged)

(b) Pays [to the Board a] *the* reinstatement fee set by the Board in COMAR 10.58.02.

(2) CEUs which are acquired in order to reinstate under COMAR [10.59.05.05] *10.58.05.05* and .06 may be credited only once and may not be credited for any future renewals.

(3)—(4) (text unchanged)

[E.] G. *Inactive Status.*

(1) In accordance with Health Occupations Article, §17-505, Annotated Code of Maryland, a request to transfer a certificate or license to inactive status shall be granted upon receipt of [a written] *the*:

(a) *Completed Board-approved* application; and [payment]

(b) *Payment* of [the required, non-refundable, annual fee] *all applicable fees* set forth in COMAR 10.58.02.

(2)—(4) (text unchanged)

#### **.04 [Licensure —] Licensed Graduate Alcohol and Drug Counselors.**

A. *Scope of Practice.* *The scope of practice for a licensed graduate alcohol and drug counselor includes the following activities to be performed under the clinical supervision of a Board-approved alcohol and drug counselor supervisor:*

(1) *Clinical evaluation, including screening, assessment, and diagnosis for mental health disorders;*

(2) *Treatment planning for mental health disorders, including initial, ongoing, continuity of care, discharge, and planning for relapse prevention;*

- (3) Referral;
- (4) Service coordination and case management;
- (5) Counseling, therapy, and trauma informed care with individuals, couples, families and groups;
- (6) Client, family, and community education;
- (7) Documentation; and
- (8) Professional and ethical responsibilities.

[A.] B. Licensure. To qualify for licensure as a graduate alcohol and drug counselor, an applicant shall:

- (1) [Complete an application on a form approved by the Board] *Submit a completed Board-approved application and include documentation of post-graduate experience;*
- (2) Pay [the required non-refundable fee] *all applicable fees set forth in COMAR 10.58.02;*
- (3) *Complete one of the following from a regionally accredited educational institution:*
  - [3] Hold a] (a) A master's [or doctoral] degree [from a regionally accredited college or university approved by the Board] in a health and human services counseling field *approved by the Board or in a program of studies determined by the Board to be substantially equivalent with [a]:*
    - (i) A minimum of 48 graduate semester credit hours; or
    - (ii) 72 graduate quarter credit hours [including:]; or
    - (b) *A doctoral degree in a health and human services counseling field approved by the Board or in a program of studies determined by the Board to be substantially equivalent with:*
      - (i) A minimum of 90 graduate semester credit hours; or
      - (ii) 135 graduate quarter credit hours;
  - (4) *Complete a minimum of 39 semester credit hours or 65 quarter credit hours in alcohol and drug counselor training from a regionally accredited educational institution including:*
    - (a) (text unchanged)
    - (b) Any three of the following 3 semester credit hour or 5 quarter credit hour courses taken at a regionally accredited educational institution:
      - (i)—(iii) (text unchanged)
      - (iv) Topics in substance-related and addictive disorders [alcohol and drug dependency]; [and] or
      - (v) (text unchanged)
  - (5) *Complete one of the following:*
    - (a) *An internship in alcohol and drug counseling that totals 6 semester credit hours or 10 quarter credit hours; or*
    - (b) *A minimum of 1,000 hours of alcohol and drug counseling work completed under and verified by a Board-approved alcohol and drug counselor supervisor;*
  - (6) *Complete a minimum of 3 graduate semester credit hours or 5 quarter hours in each of the following content areas:*
    - (a) *Personality development;*
    - (b) *Diagnosis and psychopathology; and*
    - (c) *Psychotherapy and treatment of mental and emotional disorders;*
- [(4) Pass] (7) *Achieve a passing score on:*
  - (a) A national alcohol and drug counselor examination approved by the Board; [and]
  - (b) An examination of:
    - (i) Health Occupations Article, Title 17, Annotated Code of Maryland; and [this subtitle]
    - (ii) COMAR 10.58;
- (8) *Submit to a criminal background check;*

[(5)] (9) (text unchanged)

[(6)] (10) Comply with [the Board's]:

- (a) *Health Occupations Article, Title 17, Annotated Code of Maryland; and*
- (b) *The code of ethics as set forth in COMAR 10.58.03.*

[B.] To obtain a license as a graduate alcohol and drug counselor, an applicant shall:

- (1) Submit a completed application;
- (2) Submit an official transcript from the institution awarding the master's or doctoral degree in a professional counseling field; and
- (3) Pay all required fees set forth in COMAR 10.58.02.]

C. *Licensed graduate alcohol and drug counselors shall conspicuously display their license or certificate and a professional disclosure statement as set forth in Regulation .03C of this chapter.*

[C.] D. The Board shall act upon applications within a 6 month period as [follows:] *set forth under Regulation .03D of this chapter.*

- [(1) Within 90 days after receipt of an application, the Board or its Executive Director shall determine whether the application is complete;
- (2) If the Board or its Executive Director determines that the application is not complete, the Executive Director or the Executive Director's designee shall send a notice of deficiency to the applicant;
- (3) Upon receipt of a notice, the applicant shall correct the deficiency within 90 days, or other period specified in the notice; and

(4) If the applicant fails to correct the deficiency within the required period, the application may lapse and the applicant shall be required to submit a new application and pay the required non-refundable fee set forth in COMAR 10.58.02.]

[D.] E. A licensed graduate alcohol and drug counselor shall practice alcohol and drug counseling under the supervision of a Board-approved alcohol and drug *counselor* supervisor who is:

(1)—(4) (text unchanged)

(5) An approved clinical alcohol and drug *counselor* supervisor as defined in COMAR 10.58.13.02.

[E.] F. (text unchanged)

[F.] G. Expiration and Renewal.

(1)—(3) (text unchanged)

(4) *If a licensed graduate alcohol and drug counselor licensee notifies the Board in writing, the Board may consider a license extension beyond the 6-year maximum as set forth in §G(3) of this regulation.*

[(4)] (5) To renew licensure as a graduate alcohol and drug counselor, the applicant shall:

(a) Complete a *Board-approved* renewal application [on a form approved by the Board];

(b) Pay [the required application fee] *all applicable fees* set forth in COMAR 10.58.02; and

(c) (text unchanged)

H. *Reinstatement.* The Board may reinstate the license of a licensed graduate alcohol and drug counselor as set forth under Regulation .03F of this chapter.

I. *Inactive Status.* The guidelines for inactive status are set forth under Regulation .03G of this chapter.

#### **.06 [Certification:] Certified Associate Counselor — Alcohol and Drug.**

A. *Scope of Practice.* The scope of practice of a certified associate counselor — alcohol and drug consists of the following activities, performed in accordance with §B of this regulation:

(1) *Biopsychosocial evaluation, including participating in the development of diagnostic impressions for SUDs or Screening, Brief Intervention, and Referral to Treatment (SBIRT);*

(2) *Treatment planning for SUDs and CODs, including initial, ongoing, continuity of care, discharge, and planning for relapse prevention;*

(3) *Referral;*

(4) *Service coordination and case management for SUDs and CODs;*

(5) *Counseling, therapy, and trauma informed care, with individuals, couples, families, and groups;*

(6) *Client, family, and community education;*

(7) *Documentation; and*

(8) *Complying with:*

(a) *Professional and ethical responsibilities; and*

(b) *Supervisory responsibilities for a certified associate counselor — alcohol and drug, certified supervised counselor — alcohol and drug, or a trainee seeking certification, provided that the certified associate counselor — alcohol and drug has been approved as a supervisor by the Board.*

B. *As required by Health Occupations Article, §17-403(a)(4), Annotated Code of Maryland, a certified associate counselor — alcohol and drug shall:*

(1) *Practice under the moderate supervision of a Board-approved alcohol and drug counselor supervisor who is:*

(a) *A licensed clinical alcohol and drug counselor;*

(b) *A certified professional counselor — alcohol and drug; or*

(c) *Another health care provider:*

(i) *Licensed or certified under the Health Occupations Article, Title 17, Annotated Code of Maryland; and*

(ii) *Approved by the Board; and*

(2) *Provide alcohol and drug counseling as an employee of an agency or facility that is certified or licensed by the State.*

[A.] C. To qualify for certification as a certified associate counselor—alcohol and drug (CAC—AD) an applicant shall:

(1) Complete [an] a *Board-approved* application [on a form approved by the Board];

(2) Pay [the required non-refundable fee] *all applicable fees* set forth in COMAR 10.58.02;

(3) Hold [one of the following: (a) A] a bachelor's degree from a regionally accredited educational institution [approved by the Board] in a [health]:

(a) *Health and human services counseling field; or*

(b) [A bachelor's degree from a regionally accredited educational institution approved by the Board in a program] *Program* of studies determined by the Board to be substantially equivalent [in subject matter to §A(3)(a) of this regulation];

(4) Complete a minimum of 33 semester credit hours or 50 quarter credit hours in alcohol and drug counselor training from a regionally accredited institution [of higher education approved by the Board] including:

(a) (text unchanged)

(b) Any three of the following 3 semester credit hour or 5 quarter credit hour courses taken at a regionally accredited educational institution:

(i)—(v) (text unchanged)

(5) Complete [an] *one of the following:*

(a) An internship in alcohol and drug counseling that [total] totals 6 semester credit hours or 10 quarter credit hours; or  
(b) A minimum of 1,000 hours of alcohol and drug counseling work completed under and verified by a Board-approved alcohol and drug counselor supervisor;

(6) Complete not less than 1 year with a minimum of [2,000] 1,000 hours of [supervised clinical experience in] alcohol and drug counseling work completed under [the supervision of] and verified by a Board-approved alcohol and drug counselorsupervisor;

(7) Achieve a passing score on [the examination developed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC/AODA), or other]:

(a) A national alcohol and drug counselor examination as approved by the Board; and

[(8) Achieve a passing score on an] (b) An examination of:

(i) Health Occupations Article, Title 17, Annotated Code of Maryland[,] and [this subtitle]

(ii) COMAR 10.58.

(8) Submit to a criminal background check;

(9)—(10) (text unchanged)

[B.] D. The Board shall act upon applications within a 6 month period as [follows:] set forth under Regulation .03D of this chapter.

(1) Within 90 days after receipt of an application, the Board or its Executive Director shall determine whether the application is complete;

(2) If the Board or its Executive Director determines that the application is not complete, the Executive Director or the Executive Director's designee shall send a notice of deficiency to the applicant;

(3) Upon receipt of a notice, the applicant shall correct the deficiency within 90 days, or other period specified in the notice; and

(4) If the applicant fails to correct the deficiency within the required period, the application may lapse and the applicant shall be required to submit a new application and pay the required non-refundable fee set forth in COMAR 10.58.02.]

[C.] E. A certified associate counselor—alcohol and drug:

(1) May provide [only] alcohol and drug counseling:

(a) [Alcohol and drug counseling as] As an employee of an agency or facility that is certified or licensed by the State; and

(b) [Alcohol and drug counseling under] Under the moderate supervision of a Board-approved supervisor as specified in Health Occupations Article, [§17-403] §17-404, Annotated Code of Maryland; and

(c) (text unchanged)

(2) (text unchanged)

[D.] F. Renewal.

(1) To renew certified associate counselor — alcohol and drug certification, the applicant shall:

(a) Complete a Board-approved renewal application [on a form approved by the Board];

(b) Pay [the required application fee] all applicable fees set forth in COMAR 10.58.02; and

(c) (text unchanged)

(2)—(3) (text unchanged)

[E.] G. Reinstatement. The Board may reinstate the certificate of a certified associate counselor —alcohol and drug set forth under Regulation .03F of this chapter.

(1) Within 5 calendar years after the certificate renewal date, the Board may reinstate the certificate of a certified associate counselor — alcohol and drug otherwise entitled to reinstatement under Health Occupations Article, §17-505(b), Annotated Code of Maryland, whose certificate was not renewed for any reason, if the certificate holder:

(a) Completes within that 5-year period the minimum of 20 CEUs required for each year; and

(b) Pays to the Board a non-refundable reinstatement fee set by the Board in COMAR 10.58.02.

(2) CEUs which are acquired in order to reinstate under COMAR 10.58.05.05 and .06 may be credited only once and may not be credited for any future renewals.

(3) For any certified associate counselor — alcohol and drug whose certification has expired more than 5 calendar years before the request for reinstatement, a new application for certification shall be completed and the current certification requirements shall be met.

(4) An individual who fails to reinstate certification is not authorized to and may not practice alcohol and drug counseling.]

[F.] H. Inactive Status. The guidelines for inactive status are set forth under Regulation .03G of this chapter.

(1) In accordance with Health Occupations Article, §17-505, Annotated Code of Maryland, a request to transfer a certificate or license to inactive status shall be granted upon receipt of a written application; and payment of the required, non-refundable, annual fee set forth in COMAR 10.58.02.

(2) An individual may apply for inactive status only if the individual's certificate is still active at the time application for inactive status is made.

(3) An individual on inactive status is not authorized to and may not practice alcohol and drug counseling.

(4) A certificate holder on inactive status seeking to be reinstated to active status shall be required, as a condition of reinstatement, to submit proof of having completed 20 CEU's for each year of inactive status, at least 40 of which shall have been obtained within the 2-year period immediately preceding the application for reinstatement.]

#### **.07 [Certification:] Certified Supervised Counselor — Alcohol and Drug.**

A. *Scope of Practice.* The scope of practice for a certified supervised counselor — alcohol and drug consists of the following activities, performed in accordance with §C of this regulation:

(1) Participating in the development of diagnostic impressions for SUDs and CODs, as:

(a) Confirmed by a Board-approved supervisor; and

(b) Documented by signature and credentials;

(2) Biopsychosocial evaluation, as permitted by the Board-approved supervisor;

(3) Screening, Brief Intervention, and Referral to Treatment (SBIRT);

(4) Treatment planning for SUDs and CODs, including initial, ongoing, continuity of care, discharge, and planning for relapse prevention, as confirmed by:

(a) The Board-approved supervisor; and

(b) Documentation by signature and credentials;

(5) Referral;

(6) Participating in service coordination and case management for SUDs and CODs;

(7) Counseling of individuals and groups for SUDs;

(8) Client, family, and community education for SUDs;

(9) Documentation; and

(10) Complying with the professional and ethical responsibilities set forth in COMAR 10.58.03.

B. A certified supervised counselor — alcohol and drug may not perform supervision.

C. As required by Health Occupations Article, §17-404(a)(4), Annotated Code of Maryland, a certified supervised counselor — alcohol and drug shall:

(1) Practice under the close supervision of a Board-approved alcohol and drug counselor supervisor; and

(2) Provide alcohol and drug counseling as an employee of an agency or facility that is certified or licensed by the State.

[A.] D. To qualify for certification as a supervised counselor — alcohol and drug, an applicant shall:

(1) [Complete an application on a form approved by the Board] Submit a completed Board-approved application;

(2) Pay [the required non-refundable fee] all applicable fees set forth in COMAR 10.58.02;

(3) Hold [one of the following: (a) A] an associate's degree from a regionally accredited educational institution [approved by the Board] in a [health]:

(a) Health or human services counseling field; or

(b) [An associate's degree from a regionally accredited educational institution approved by the Board in a program] Program of studies determined by the Board to be substantially equivalent [in subject matter];

(4) Complete a minimum of 24 semester credit hours or 37 quarter credit hours in alcohol and drug counselor training from a regionally accredited educational institution [of higher education approved by the Board] including:

(a) (text unchanged)

(b) Any three of the following 3 semester credit hour or 5 quarter credit hour courses taken at a regionally accredited educational institution:

(i)—(viii) (text unchanged)

(5) Complete [an internship in alcohol and drug counseling that total] one of the following:

(a) An internship in alcohol and drug counseling that totals 6 semester credit hours or 10 quarter credit hours; or

(b) A minimum of 1,000 hours of alcohol and drug counseling work completed under and verified by a Board-approved alcohol and drug counselor supervisor;

(6) Achieve a passing score on [the examination developed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC/AODA), or other]:

(a) A national alcohol and drug counselor examination as approved by the Board; and

[(7)] (b) [Achieve a passing score on an] An examination of:

(i) Health Occupations Article, Title 17, Annotated Code of Maryland[,] and [this subtitle]

(ii) COMAR 10.58.

(7) Submit to a criminal background check;

(8)—(9) (text unchanged)

[B.] E. The Board shall act upon applications within a 6-month period as [follows:] set forth under Regulation .03D of this chapter.

[(1) Within 90 days after receipt of an application, the Board or its Executive Director shall determine whether the application is complete;

(2) If the Board or its Executive Director determines that the application is not complete, the Executive Director or the Executive Director's designee shall send a notice of deficiency to the applicant;

(3) Upon receipt of a notice, the applicant shall correct the deficiency within 90 days, or other period specified in the notice; and

(4) If the applicant fails to correct the deficiency within the required period, the application may lapse and the applicant shall be required to submit a new application and pay the required non-refundable fee set forth in COMAR 10.58.02.]

[C.] F. A certified supervised counselor — alcohol and drug:

(1) May provide [only] alcohol and drug counseling:

(a) [Alcohol and drug counseling as] As an employee of an agency or facility that is certified or licensed by the State; and

(b) [Alcohol and drug counseling under] *Under the close supervision of a Board-approved supervisor as specified in Health Occupations Article, §17-404, Annotated Code of Maryland; and*

(2) (text unchanged)

[D.] *G. A certified supervised counselor — alcohol and drug shall practice alcohol [an] and drug counseling under the close supervision of a Board-approved alcohol and drug counselor supervisor [who is:*

- (1) A licensed clinical alcohol and drug counselor;
- (2) A certified professional counselor — alcohol and drug;
- (3) A certified associate counselor — alcohol and drug; or
- (4) One of the following who has documented expertise in alcohol and drug counseling and is approved by the Board:
  - (a) A licensed clinical professional counselor;
  - (b) A licensed clinical marriage and family therapist;
  - (c) A licensed clinical professional art therapist; or
  - (d) A health care provider licensed under the Health Occupations Article, Annotated Code of Maryland].

[E.] *H. Renewal. The Board may renew the certificate of a certified supervised counselor —alcohol and drug set forth under Regulation .06F in this chapter.*

[(1) To renew certified supervised counselor — alcohol and drug certification, the applicant shall:

- (a) Complete a renewal application on a form approved by the Board;
- (b) Pay the required application fee set forth in COMAR 10.58.02; and
- (c) Attest to completion of continuing education activities as specified in COMAR 10.58.05.05 and .06.

(2) The Board may not renew the certification of any certified supervised counselor — alcohol and drug who fails to complete all requirements for renewal before the expiration date of the current certification.

(3) An individual who fails to renew certification is not authorized to practice alcohol and drug counseling.]

[F.] *I. Reinstatement. The Board may reinstate the certificate of a certified supervised counselor —alcohol and drug set forth under Regulation .03F in this chapter.*

[(1) Within 5 calendar years after the certificate renewal date, the Board may reinstate the certificate of a certified supervised counselor — alcohol and drug otherwise entitled to reinstatement under Health Occupations Article, §17-505(b), Annotated Code of Maryland, whose certificate was not renewed for any reason if the certificate holder:

- (a) Completes within that 5-year period the minimum of 20 CEUs required during each year; and
- (b) Pays to the Board a reinstatement fee set by the Board in COMAR 10.58.02.

(2) CEUs which are acquired in order to reinstate under COMAR 10.58.05.05 and .06 of this subtitle may be credited only once and may not be credited for any future renewals.

(3) An individual who fails to reinstate certification is not authorized to practice alcohol and drug counseling.

(4) An individual who is on inactive status is not authorized to practice alcohol and drug counseling.]

[G.] *J. Inactive Status. The guidelines for inactive status are set forth under Regulation .03G of this chapter.*

[(1) In accordance with Health Occupations Article, §17-505, Annotated Code of Maryland, a request to transfer a certificate or license to inactive status shall be granted upon receipt of a written application; and payment of the required, non-refundable, annual fee set forth in COMAR 10.58.02.

(2) An individual may apply for inactive status only if the individual's certificate is still active at the time application for inactive status is made.

(3) An individual on inactive status is not authorized to and may not practice alcohol and drug counseling.

(4) A certificate holder on inactive status seeking to be reinstated to active status shall be required, as a condition of reinstatement, to submit proof of having completed 20 CEU's for each year of inactive status, at least 40 of which shall have been obtained within the 2-year period immediately preceding the application for reinstatement.]

## **.08 Alcohol and Drug Trainees.**

*A. Scope of Practice. The scope of practice of an alcohol and drug trainee shall be limited to the following activities:*

- (1) *Biopsychosocial evaluation, including screening, assessment, and diagnostic impressions for SUDs and CODs;*
- (2) *Treatment planning for SUDs and CODs, including initial, ongoing, continuity of care, discharge, and planning for relapse prevention;*
- (3) *Referral;*
- (4) *Service coordination and case management in the areas of SUDs and CODs;*
- (5) *Counseling, therapy, and trauma informed care with individuals, couples, families and groups in the areas of SUDs and CODs;*
- (6) *Client, family, and community education;*
- (7) *Documentation; and*
- (8) *Compliance with professional and ethical responsibilities.*

*B. A trainee may not perform supervision.*

*C. A trainee holding a master's degree shall:*

- (1) *Practice under the clinical supervision of an approved licensed clinical alcohol and drug counselor supervisor;*
- (2) *Hold approved trainee status with the Board; and*
- (3) *Provide documentation satisfactory to the Board every 2 years of progress towards the fulfillment of the experiential and course of study requirements under Health Occupations Article, §17-302, Annotated Code of Maryland.*

D. A trainee holding a bachelor's degree shall:

- (1) Practice under the moderate supervision of a Board-approved alcohol and drug counselor supervisor;
- (2) Hold approved trainee status with the Board; and
- (3) Provide documentation satisfactory to the Board every 2 years of progress towards the fulfillment of the experiential or course of study requirements under Health Occupations Article, §17-403 or 17-404, Annotated Code of Maryland.

E. A trainee holding an associate's degree shall:

- (1) Practice under the close supervision of a Board-approved alcohol and drug counselor supervisor;
- (2) Hold approved trainee status with the Board;
- (3) Provide alcohol and drug counseling as an employee of an agency or facility that is certified or licensed by the State; and
- (4) Provide documentation satisfactory to the Board every 2 years of progress towards the fulfillment of the experiential and course of study requirements under Health Occupations Article, §17-403 or 17-404, Annotated Code of Maryland.

F. A trainee holding a high school diploma shall meet all guidelines set forth under §E of this regulation.

[A.] G. Application Process.

- (1) In order to practice as an alcohol and drug trainee, an individual shall:
  - (a) Complete and return the [Board] Board-approved application that includes:
    - (i)—(ii) (text unchanged)
    - (b) Pay [the required, non-refundable application fee] all applicable fees set forth in COMAR 10.58.02; and
    - (c) (text unchanged)
  - (2)—(6) (text unchanged)
- (7) An individual licensed as a clinical mental healthcare provider under the Health Occupations Article, Title 17, Annotated Code of Maryland, may not apply as a trainee.

[B.] H. (text unchanged)

[C.] I. Qualifications. To qualify as an alcohol and drug trainee an applicant shall meet one of the following requirements:

- (1) Hold [one of the following] an associate's degree or higher in a [health]:
  - (a) Health and human services counseling field from [an] a regionally accredited educational institution [approved by the Board], which includes 1 semester credit hour or 2 quarter credit hours in the ethics of alcohol and drug counseling; or [An associate's degree or higher in a program]
  - (b) Program of studies [judged] determined by the Board to be substantially equivalent [in subject matter and extent of training], which includes 1 semester credit hour or 2 quarter credit hours in the ethics of alcohol and drug counseling; or
- (2) Have completed 15 semester credits or 25 quarter credits from among the topic areas specified in Regulation [.03A (2)(b)].03B of this chapter including:
  - (a)—(b) (text unchanged)

[D.] J. An alcohol and drug trainee shall practice under the supervision of a Board-approved alcohol and drug counselor supervisor.

[E.] K. Renewal.

- (1) Individuals applying for renewal of trainee status after the effective date of this regulation shall:
  - (a) Complete a trainee renewal application on a [form approved by the Board] Board-approved form;
  - (b) Pay [the required, non-refundable application fee] all applicable fees set forth in COMAR 10.58.02; and
  - (c) (text unchanged)
- (2) (text unchanged)

#### [.17].09 Reexamination.

An applicant who fails an examination for certification or licensure may [take a reexamination] *retake the exam*.

#### [.18].10 Licensure Eligibility: Out-of-State Applicants.

A. An applicant licensed or certified as a clinical alcohol and drug counselor in another state, territory, or jurisdiction, is eligible for licensure if the applicant:

- (1) Files a completed Board-approved application accompanied by the required fees specified in COMAR 10.58.02.02;
- (2) Provides verification that the applicant has:
  - (a) [Has no] No history of disciplinary action past or pending; and
  - (b) [Has not] Not committed any act or omission that would be grounds for discipline or denial of licensure under Health Occupations Article, §17-509, Annotated Code of Maryland;
- (3) Provides:
  - (a) A copy of a current license or certification from each state, territory, or jurisdiction in which the applicant is authorized to practice alcohol and drug counseling; [and]
  - (b) (text unchanged)
- (4) Provides documentation] (c) Documentation or transcripts confirming completion of a master's or doctoral degree in a health or human services counseling field from [an] a:
  - (i) Regionally accredited educational institution [approved by the Board]; or
  - (ii) Program of studies determined by the Board to be substantially equivalent;
- (5) Provides verification]

(d) *Verification*, on a [form that the Board requires] *Board-approved form*, from employers, supervisors, or colleagues that the applicant has practiced alcohol and drug counseling for the length of time specified as follows:

[(a)] (i) If the applicant has a master's degree and has a minimum of 60 graduate credit hours, documentation, satisfactory to the Board, of not less than 3 years, with a minimum of 2,000 hours[,] of supervised clinical experience in alcohol and drug counseling, 2 years of which shall have been completed after the [award] *awarding* of [the] a master's degree;

[(b)] (ii)—[(c)] (iii) (text unchanged)

[(6)] (4) Achieves a passing score on:

(a) A national alcohol and drug counselor examination approved by the Board; and

[(a)] (b) An examination [testing the applicant's knowledge of Maryland law and regulations governing alcohol and drug counselors; and] of:

(i) *Health Occupations Article, Title 17, Annotated Code of Maryland; and*

(ii) *COMAR 10.58.*

[(b)] The Examination for Master Addictions Counselors of the National Board for Certified Counselors (NBCC).]

B. The Board shall waive the course requirements specified in [Regulations] *Regulation .03B [and .10A]* of this chapter, except for documentation or transcripts showing completion of:

(1)—(2) (text unchanged)

#### **[.19] .11 Certification Eligibility — CAC-AD — Out-of-State Applicants.**

A. An applicant certified as a certified associate counselor-alcohol and drug in another state territory, or jurisdiction, is eligible for certification if the applicant:

(1) Files a completed *Board-approved* application accompanied by the required fees specified in COMAR 10.58.02.02;

(2) Provides verification that the applicant *has*:

(a) [Has no] *No* history of disciplinary action, past or pending, in a state, territory, or jurisdiction in which the applicant holds a [license to practice clinical professional] *certificate to practice alcohol and drug* counseling; and

(b) [Has not] *Not* committed any act or omission that would be grounds for discipline or denial of certification under Health Occupations Article, §17-509, Annotated Code of Maryland;

(3) Provides:

(a) A copy of a current certification from each state, territory, or jurisdiction, in which the applicant is authorized to practice alcohol and drug counseling; [and]

(b) (text unchanged)

[(4) Provides documentation] (c) *Documentation* or transcripts confirming completion of a bachelor's degree in a health or human services counseling field from[an] a:

(i) *Regionally* accredited educational institution [approved by the Board]; or

(ii) *Program of studies determined by the Board to be substantially equivalent;*

[(5) Provides:]

[(a)] (d) (text unchanged)

[(b)] (e) *Verification*, on a [form that the Board requires] *Board-approved form*, from employers, supervisors, or colleagues that the applicant has practiced alcohol and drug counseling for the length of time stated in [§A(5)(a)] §A(3)(d) of this regulation; and

[(6)] (4) Achieves a passing score on:

(a) A national alcohol and drug counselor examination approved by the Board; and

[(a)] (b) An examination [testing the applicant's knowledge of Maryland law and regulations governing alcohol and drug counselors; and] of:

(i) *Health Occupations Article, Title 17, Annotated Code of Maryland; and*

(ii) *COMAR 10.58.*

[(b)] The examination developed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC/AODA).]

B. (text unchanged)

#### **[.20] .12 Certification Eligibility — CSC-AD — Out-of-State Applicants.**

A. An applicant certified as a certified supervised counselor-alcohol and drug in another state, *territory, or jurisdiction* is eligible for certification if the applicant:

(1) Files a completed *Board-approved* application accompanied by the required fees specified in COMAR 10.58.02.02;

(2) Provides verification that the applicant *has*:

(a) [Has no] *No* history of disciplinary action, past or pending, in a state, territory, or jurisdiction in which the applicant holds a [license] *certificate* to practice [clinical professional] *alcohol and drug* counseling; and

(b) [Has not] *Not* committed any act or omission that would be grounds for discipline or denial of certification under Health Occupations Article, §17-509, Annotated Code of Maryland;

(3) Provides:

(a) A copy of a current certification from each state, territory, or jurisdiction in which the applicant is authorized to practice alcohol and drug counseling; [and]

(b) (text unchanged)

[(4) Provides documentation] (c) *Documentation* or transcripts confirming completion of an associate's degree in a health or human services counseling field from [an] a:

- (i) *Regionally* accredited educational institution [approved by the Board]; or
- (ii) *Program of studies determined by the Board to be substantially equivalent*;

[(5) Provides:]

[(a)] (d) (text unchanged)

[(b)] (e) Verification, on a [form that the Board requires] *Board-approved form*, from employers, supervisors, or colleagues that the applicant has practiced alcohol and drug counseling for the length of time stated in [§A(5)(a)] §A(3) of this regulation; and

[(6)] (4) Achieves a passing score on:

(a) *A national alcohol and drug counselor examination approved by the Board; and*

[(a)] (b) An examination [testing the applicant's knowledge of Maryland law and regulations governing alcohol and drug counselors; and] of:

- (i) *Health Occupations Article, Title 17, Annotated Code of Maryland; and*
- (ii) *COMAR 10.58.*

[(b)] The examination developed by the International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC/AODA).]

B. The Board shall waive the course requirements specified in Regulations .03B and [.05B] .04B of this chapter, except for documentation from [an] a *regionally* accredited educational institution [approved by the Board] showing completion of:

(1)—(2) (text unchanged)

ROBERT R. NEALL  
Secretary of Health